

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

DYNAMIC CONCEPTS, INC.
Employer
and

Case 05-RC-282516

CONSTRUCTION AND MASTER
LABORERS' LOCAL UNION 11
Petitioner

ORDER

The Petitioner's Emergency Motion to Stay Election is granted. The Petitioner's Request for Review of the Regional Director's Stipulation to Set Aside Election and Stipulated Election Agreement is also granted, as it raises substantial issues warranting review.¹

MARVIN E. KAPLAN, MEMBER

GWYNNE A. WILCOX, MEMBER

DAVID M. PROUTY, MEMBER

Dated, Washington, D.C., November 18, 2021.

¹ Member Kaplan would deny review and deny the request to stay the rerun election. In this respect, he finds that the Employer's stipulation agreement to a rerun election effectively waives its right to dispute the merits of the Petitioner's objections to the first election. Accordingly, the notice of rerun election begins with the statement that "The election conducted on October 14, 2021, was set aside by agreement based upon alleged objectionable conduct of the Employer that interfered with the employees' exercise of a free and reasoned choice." In these circumstances, there is no administrative need to take further action on the objections. They are moot.